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<b>TRANSMITTAL FORM</b>		Application Number 10/849,028
		Filing Date May 20, 2004
		First Named Inventor Kenji YOSHISUE
		Art Unit 2837
		Examiner Name Kimberly R. Lockett
Total Number of Pages in This Submission 1		Attorney Docket Number 056272.54929US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Documents  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group ( <i>Appeal Notice, Brief, Reply Brief</i> ) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <b>1. Postcard</b>
Remarks		

#### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name CROWELL & MORING LLP			
Signature 			
Printed Name Robert L. Grabarek, Jr.			
Date July 26, 2006	Reg. No. 40,625		

#### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature 			
Typed or printed name Blanca E. Munoz	Date July 26, 2006		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JUL 31 2006

OPIPE  
IAP15

Fees pursuant to the Consolidated Appropriations Act, 2006 (H.R. 4818).

**FEETRANSMITTAL  
For FY 2006** Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 180.00**Complete if Known**

Application Number	10/849,028
Filing Date	May 20, 2004
First Named Inventor	Kenji YOSHISUE
Examiner Name	Kimberly R. Lockett
Art Unit	2837
Attorney Docket No.	056272.54929US

**METHOD OF PAYMENT** (check all that apply) Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_ Deposit Account Deposit Account Number: 05-1323 Deposit Account Name: Crowell & Moring LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>	
	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>
Utility	300	150	500	250	200	100
Design	200	100	100	50	130	65
Plant	200	100	300	150	160	80
Reissue	300	150	500	250	600	300
Provisional	200	100	0	0	0	0

**2. EXCESS CLAIM FEES**Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>
	- 20 or HP =	x 50.00	=	Fee (\$)	Fee (\$)	

HP = highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	
	- 3 or HP =	x 200.00	=	Fee (\$)	Fee Paid (\$)

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x	=	

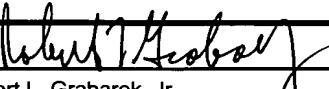
**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Information Disclosure Statement

180.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 40,625	Telephone 949-263-8400
Name (Print/Type)	Robert L. Grabarek, Jr.		Date July 26, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/849,028  
Applicant : Kenji YOSHISUE  
Filed : May 20, 2004  
TC/A.U. : 2837  
Examiner : Kimberly R. Lockett

Confirmation No. 7048

Docket No. : 056272.54929US  
Customer No. : 23911



Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§ 1.97 and 1.98**

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

I. Time Period of Submission

This Information Disclosure Statement is submitted:

1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

a Statement under 37 C.F.R. § 1.97(e); or  
 a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and  
a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

06/01/2006 SSITHIB1 00000016 1084928  
180.00 0P  
01 FC:1806

4) within 30 days of receipt by any individual designated in 37 C.F.R. § 1.56(c) of a communication from a foreign patent office in a counterpart application in which each item of information contained in this information disclosure statement was first cited, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.704(d).

**II. Statement Under 37 C.F.R. § 1.97(e)**

I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

**III. Submission of Non-English Language Documents**

The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:

The relevance of JP2003-36073 to the subject matter of the present invention is provided in the specification of the above-identified application.

Corresponding foreign or international report(s) citing document(s) \_\_\_\_\_, together with an English-language version(s) (if not already in English) of that portion of the report indicating the degree of relevance found by the foreign office is submitted.

English language family member publication(s) of document(s) \_\_\_\_\_ is/are noted on Form PTO-1449.

English language abstract is submitted for the foreign language document JP2003-36073.

English translation(s) of the foreign language document(s) \_\_\_\_\_ is/are submitted herewith.

Applicant submits the following explanations:

IV. Continuations/Divisionals/PCT National Stage Applications

Documents \_\_\_\_\_ were previously submitted in an Information Disclosure Statement filed on == in parent application Serial No. \_\_\_\_\_, from which this application claims a benefit.

Copies of document(s) listed on the attached form PTO-1449 have already been provided by the International Searching Authority, therefore, duplicate copies are not attached hereto.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

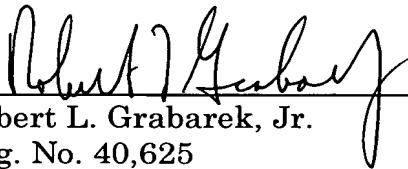
If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 056272.54929US, for the fee set forth in 37 C.F.R. § 1.17(p).

Respectfully submitted,

CROWELL & MORING LLP

Dated: July 26, 2006

By

  
Robert L. Grabarek, Jr.

Reg. No. 40,625

Tel.: (949) 263-8400 (Pacific Coast)

Attachments

Intellectual Property Group  
P.O. Box 14300  
Washington, D.C. 20044-4300

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 26, 2006

  
Blanca E. Munoz



JUL 31 2006

PTO/SB/08a (08-03)

Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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<p>Substitute for form 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p>(use as many sheets as necessary)</p>		<b>Complete if Known</b>	
		Application Number	10/849,028
		Filing Date	May 20, 2004
		First Named Inventor	Kenji YOSHISUE
		Art Unit	2837
		Examiner Name	Kimberly R. Lockett
Sheet	4	of	4
		Attorney Docket Number	
		056272.54929US	

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials'	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passage s or Relevant Figures Appear	T <sup>8</sup>
		Country Code <sup>3</sup> –Number <sup>4</sup> –Kind Code <sup>5</sup> (if known)				
		JP2003-36073	02-07-2003	KAWAI MUSICAL INSTR MFG CO		Abstract

## **OTHER DOCUMENTS**

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.-